

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

UNITED STATES OF AMERICA,)	CIVIL ACTION NO.: 4:09-3055
)	
Plaintiff,)	
)	
vs.)	
)	
ONE 2004 GMC YUKON DENALI)	ORDER FOR ENTRY
VIN# 1GKEK63U34J293429)	OF JUDGMENT
TOGETHER WITH ITS EQUIPMENT)	
ACCESSORIES AND CONTENTS)	
Asset ID# 09-FBI-004389)	
)	
Defendant # 1)	
)	
Registered Owner: Tonitia Lashan)	
Cain)	
)	
ONE 2002 CHEVROLET SILVERADO)	
1500, VIN # 2GCEC19T221360457)	
TOGETHER WITH IT EQUIPMENT)	
ACCESSORIES AND CONTENTS)	
Asset ID# 09-FBI-004393)	
)	
Defendant # 2)	
)	
Registered Owner: Tonitia Lashan)	
Cain)	
Defendant.)	
)	

This *in rem* forfeiture action was initiated through a Complaint filed on November 23, 2009. It concerns the 2004 GMC Yukon Denali and 2002 Chevrolet Silverado 1500 (collectively, “Defendant Properties”), which was seized on June 2, 2009, by officers of the Federal Bureau of Investigation. The Complaint alleges that the Defendant Properties constitutes or are traceable to proceeds furnished or intended to be furnished in exchange for

controlled substances in violation of 21 U.S.C. §§ 841(a)(1) and 846; or were used or intended to be used to facilitate such offenses; and that the Defendant Properties are therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

It appears that no person has filed a verified statement of interest or served or filed an Answer. It further appears that a copy of the Complaint, among other documents, was served upon Tonitia Lashan Cain, the only known potential claimant; that publication has been lawfully made in this matter; and, that lawful notice of the proposed forfeiture to Tonitia Lashan Cain, and to any potential third-party claimants was given.

Accordingly, the Court finds and concludes as follows:

1. That process was lawfully executed in this action and returned according to law;
2. That the Defendant Properties were lawfully arrested by the United States Marshals Service pursuant to the Warrant of Arrest and Notice *in Rem* issued by this Court;
3. That public notice of this action and of the arrest of the Defendant Properties was lawfully made on an official government internet web site having general circulation in this District;
4. That Tonitia Lashan Cain, the only known potential claimant, has received notice of execution of process in this action;
5. That Tonitia Lashan Cain has failed to file a Claim or Answer in this action as required by Supplemental Rule G(5) for Admiralty or Maritime Claims and Asset Forfeiture Actions;

6. That no other person has filed any verified Claim or Answer within the time fixed by law; and

7. That the allegations of the Complaint for Forfeiture *in Rem* are taken as admitted.

NOW THEREFORE, based upon the above findings, and the Court being otherwise fully advised, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. All persons claiming any right, title or interest in or to the 2004 GMC Yukon Denali and 2002 Chevrolet Silverado 1500, including Tonitia Lashan Cain, are hereby held in default.

2. The Clerk of Court shall enter default against Tonitia Lashan Cain and all interested persons.

3. Default judgment shall be entered by the Clerk of Court against the Defendant and in favor of the United States.

4. Pursuant to 21 U.S.C. § 881(a)(6), the 2004 GMC Yukon Denali and 2002 Chevrolet Silverado 1500 are hereby forfeited, condemned, quit-claimed and abandoned to the United States of America.

5. Clear title in and to the 2004 GMC Yukon Denali and 2002 Chevrolet Silverado 1500 is vested exclusively in the United States of America, and no other right, title or interest exists therein. All other claims in the 2004 GMC Yukon Denali and 2002 Chevrolet Silverado 1500 are hereby forever foreclosed and barred.

6. The 2004 GMC Yukon Denali and 2002 Chevrolet Silverado 1500 forfeited herein shall be disposed of by the United States as proposed by law.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

May 18, 2010
Florence, South Carolina